

Flathead County

Planning & Zoning

40 11th Street West, Suite 220 Kalispell, MT 59901
Telephone 406.751.8200 Fax 406.751.8210
Email: Planning.Zoning@flathead.mt.gov



CONDITIONAL USE PERMIT APPLICATION

Submit this application, all required information, and appropriate fee (see current fee schedule) to the Planning & Zoning office at the address listed above.

FEE ATTACHED \$ _____

PROPOSED USE (as described in the Flathead County Zoning Regulations):

Please add this as an update of our earlier application for a coffee stand

OWNER(S) OF RECORD:

Name: Swan Peak Properties, LLC Phone: _____

Mailing Address: _____

City, State, Zip Code: _____

Email: _____

PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:

Name: _____ Phone: _____

Mailing Address: _____

City, State, Zip Code: _____

Email: _____

LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):

Street
Address: _____ S _____ T _____ R _____

Subdivision Tract Lot Block
Name: _____ No(s). _____ No(s). _____ No. _____

1. Zoning District and Zoning Classification in which use is proposed (EXAMPLE: Bigfork Zoning District, SAG-5 zoning classification):

2. Explain how the proposed use meets all of the required criteria below. ALL CRITERIA MUST BE DISCUSSED. IF CRITERIA ARE NOT APPLICABLE, PLEASE EXPLAIN WHY. Attach drawings, additional text, site plans, and any other documents that will assist staff in reviewing the proposed use. The more information you can provide, the easier it is for staff to review the application. Please discuss:

A. Site Suitability.

The site is suitable for the use. This includes:

- (1) adequate usable space

Please see plan

- (2) adequate access

One access from Woodland Ave. One access from Shady Lane

- (3) absence of environmental constraints

We are not aware of any environmental impacts aside from vehicle emissions as they wait in line.

B. Appropriateness of Design.

The site plan for the proposed use will provide the most convenient and functional use of lot. Consideration of design should include:

- (1) parking scheme

See the attached Drawing

- (2) traffic circulation

See the attached Drawing

- (3) open space

See the attached Drawing

- (4) fencing, screening

None are planned at this time, although we are considering a low hedge by Woodland Ave.

- (5) landscaping

Grass area along Woodland Avenue. See plan

- (6) signage

Coffee Stand Name on building. None other

- (7) lighting

Lights above service windows and by door. Existing lights will stay.

C. Availability of Public Services and Facilities

The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:

- (1) sewer

Kalispell Sewer

- (2) water

AP Williams LLC

- (3) storm water drainage

- (4) fire protection

- (5) police protection

Flathead County Sheriffs Department

- (6) streets

Woodland Park Ave, Shady Lane

D. Immediate Neighborhood Impact

The proposed use will not be detrimental to surrounding neighborhoods in general. Typical negative impacts which extend beyond the proposed site include:

- (1) excessive traffic generation

I do not believe this coffee stand will generate traffic. It depends on existing traffic for sales.

- (2) noise or vibration

I do not expect this coffee stand to have any noise transferred outside the building. I can't imagine any vibration.

- (3) dust, glare or heat

Cars will travel slowly so dust will be minimal. I can't imagine any head or glare.

- (4) smoke, fumes, gas, or odors

There will be a slight odor of coffee, but no smoke or gas. Cars in line will produce fumes.

- (5) inappropriate hours of operation

Hours of operation will be from 6 am to 6 pm at the most.

3. The following proposed uses shall meet additional requirements, known as "Conditional Use Standards" and "Performance Standards" as outlined in Chapters 4 and 5 of the Flathead County Zoning Regulations. Please address the specific criteria if the proposed a use is listed below:

4.01 Animal Hospitals, Kennels, Animal Shelters, Veterinary Clinics

NOV 30 2020

- 4.02 Bed and Breakfast Establishments/Boarding Houses (must include a floor plan)
- 4.03 Camp or Retreat Center
- 4.04 Caretaker's Facility in SAG-5, R-2.5, RR-1 and R-1 Districts
- 4.05 Cluster Housing Development in Residential Districts
- 4.06 Commercial Caretaker's Facility in B-2, B-3, BS, I-1, I-1H, and I-2 Districts
- 4.07 Contractors Storage Yard in AG and SAG Districts
- 4.08 Day Care Centers- 13 or More Individuals
- 4.09 Electrical Distribution Stations
- 4.10 Extractive Industries
- 4.11 Family Hardship Dwellings
- 4.12 Manufactured Home Parks
- 4.13 Mini-Storage, Recreational Vehicle Storage
- 4.14 Motor Coach Subdivisions
- 4.15 Recreational Facilities (see also 7.17.040)
- 4.16 Temporary Uses
- 5.06 Home Occupation
- 5.11 Short Term Rental Housing (must include a floor plan)

INSTRUCTIONS FOR CONDITIONAL USE PERMIT APPLICATION:

1. Answer all questions. Answers should be clear and contain all the necessary information.
2. In answering question 1, refer to the classification system in the Zoning Regulations.
3. In answering questions 2 and 3, be specific and complete. Please use a separate sheet of paper to discuss the appropriate topics.
4. Copy of plot plan/site plan must be submitted with each application, with all existing or proposed structures, driveways, and parking areas shown, please include dimensions for all improvements and setbacks from the property line for all structures. *If you are submitting a plan larger than 11x17 in size, please include 7 copies.*
5. A separate fee made out to 'GIS' for the 'Adjoining Property Owners List'. The list will be sent directly to the Planning & Zoning office and is valid for a period of 6 months from date generated. You may also get a certified adjoining landowners list from a title company if you choose.

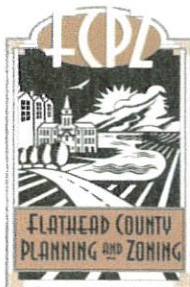
I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.

Owner(s) Signature (*all owners must sign*)

Date

Applicant Signature (*if different than above*)

Date



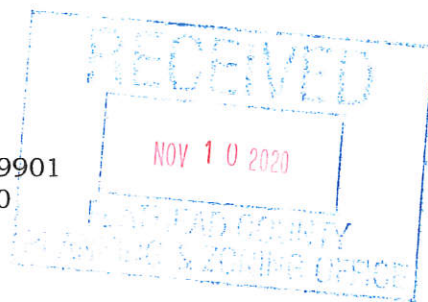
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FEE ATTACHED \$ _____

PROPOSED USE (as described in the Flathead County Zoning Regulations):

Coffee Stand - Drive Through

OWNER(S) OF RECORD:

Name: Swan Peak PROPERTIES LLC Phone: 406-212-5505

Mailing Address: 28529 Star lane

City, State, Zip Code: Bigfork, MT 59911

Email: SWADDOC@HOTMAIL.COM

PERSON(S) AUTHORIZED TO REPRESENT THE OWNER(S) AND TO WHOM ALL CORRESPONDENCE IS TO BE SENT:

Name: JOHN SNYDER Phone: _____

Mailing Address: _____

City, State, Zip Code: same

Email: _____

LEGAL DESCRIPTION OF PROPERTY (Refer to Property Records):

Street Address: 43 Woodland Park Dr S 08 T 28N R 21W

Subdivision Name: Phillips Addition Tract No(s). _____ Lot No(s). 13-12 Block No. 2

1. Zoning District and Zoning Classification in which use is proposed (EXAMPLE: Bigfork Zoning District, SAG-5 zoning classification):

B-1 - ~~Residential~~

2. Explain how the proposed use meets all of the required criteria below. ALL CRITERIA MUST BE DISCUSSED. IF CRITERIA ARE NOT APPLICABLE, PLEASE EXPLAIN WHY. Attach drawings, additional text, site plans, and any other documents that will assist staff in reviewing the proposed use. The more information you can provide, the easier it is for staff to review the application. Please discuss:

Existing Coffee Stand has been removed and we would like a zoning permit for ~~new~~ Coffee stand. (OR IF NOT REQUIRED, IN WRITING PLEASE)

A. Site Suitability.

The site is suitable for the use. This includes:

- (1) adequate usable space

see plot plan - I think the
other coffee stand utilized the space well

- (2) adequate access

"

- (3) absence of environmental constraints

"

Replacement

We are adding GRASS & Landscaping

B. Appropriateness of Design.

The site plan for the proposed use will provide the most convenient and functional use of lot. Consideration of design should include:

- (1) parking scheme

see plan -

- (2) traffic circulation

" - 2way DRIVE through

- (3) open space

"

- (4) fencing, screening

"

(5) landscaping

curbs / grass / shrubs

(6) signage

No signage except on building

(7) lighting

outside lights - down focus
on ends of building

C. Availability of Public Services and Facilities

The following services and facilities are to be available and adequate to serve the needs of the use as designed and proposed:

(1) sewer

City of Kalispell (Existing hookup
on site)

(2) water

AP Williams

(3) storm water drainage

Yes

(4) fire protection

YES

(5) police protection

County of Flathead
City of Kalispell

(6) streets

see plot plan

D. Immediate Neighborhood Impact

The proposed use will not be detrimental to surrounding neighborhoods in general. Typical negative impacts which extend beyond the proposed site include:

(1) excessive traffic generation

No change from previous

(2) noise or vibration

NO Δ

(3) dust, glare or heat

NO Δ

(4) smoke, fumes, gas, or odors

NO Δ

(5) inappropriate hours of operation

NONE

3. The following proposed uses shall meet additional requirements, known as "Conditional Use Standards" and "Performance Standards" as outlined in Chapters 4 and 5 of the Flathead County Zoning Regulations. Please address the specific criteria if the proposed a use is listed below:

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I hereby certify under penalty of perjury and the laws of the State of Montana that the information submitted herein, on all other submitted forms, documents, plans or any other information submitted as a part of this application, to be true, complete, and accurate to the best of my knowledge. Should any information or representation submitted in connection with this application be incorrect or untrue, I understand that any approval based thereon may be rescinded and other appropriate action taken. The signing of this application signifies approval for the Flathead County Planning & Zoning staff to be present on the property for routine monitoring and inspection during the approval and development process.

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